

Notice of Allowability

Application No.

10/615,040

Examiner

Terrence R. Willoughby

Applicant(s)

DAVID W. BARENZ

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to April 25, 2006.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Reasons for Allowance

1. Examiner acknowledges a submission of the amendment filed on April 25, 2006. Claims 1, 6,7,10,14, and 15 have been amended. Claims 2-3,8,9, 11-13, and 16-20 have been kept original. No new claims were added. It also included remarks/arguments. Amendments and arguments have overcome rejection.

2. The following is an examiner's statement of reasons for allowance:

- a) Selectively Trip Unit For A Multipole Circuit Breaker, Batteux et al. (US 5,831,499).
- b) Ulerich et al. Trip Indicator Including Latch For Circuit Breaker, Ulerich et al. (US 6,433,290 B1).

3. Regarding claim 1, the prior art references fails to teach "a movable armature including a first end coupled to said base portion of said armature bracket, and a second end having a trip-actuating surface, said trip-actuating surface being disposed proximate said trip finger in the ON position and contacting said trip bar to initiate said tripped position, said second end further having a spring attachment means; wherein said spring directly controls the current rating of said trip mechanism **without** additional adjustment mechanisms" in combination with the other limitations recited in the claims.

4. Regarding claim 14, the prior art references fails to teach “ operatively connecting a first end of a movable armature to said base portion of said armature bracket, said movable armature including a spring attachment means at a second end thereof opposite said first end, said second end thereof further having a trip-actuating surface; whereby said spring directly controls the current rating of said trip mechanism **without** additional adjustment mechanisms” in combination with the other limitations recited in the claims.

5. The following US patents: Batteux et al. and Ulerich et al. describe the armature bracket, movable armature, and base portion including a spring attachment means. However, the prior art references does not disclose the physical arrangements of the parts, leading to a functionality whereby the spring is the sole controller of the bias force of the tripping assembly, eliminating the need for additional calibration means.

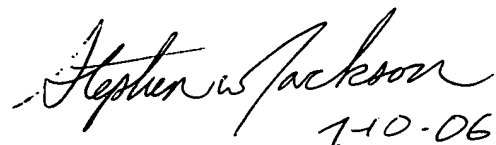
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terrence R. Willoughby whose telephone number is 571-272-2725. The examiner can normally be reached on 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on 571-272-2800 ext. 36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TRW
7/5/06



1-10-06

STEPHEN W. JACKSON
PRIMARY EXAMINER